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12 *Counsel for Specially Appearing Defendants*  
13 *Bayer HealthCare Pharmaceuticals Inc.; Bayer*  
14 *Corporation; and Bayer HealthCare LLC*

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16

17 TATSIANA DEROSA; TAMARA TYLER;  
18 GILBERTO LOPEZ; BONNIE WHEELER,

19 Plaintiffs,

20 v.

21 BAYER HEALTHCARE  
22 PHARMACEUTICALS INC.; BAYER  
23 CORPORATION; BAYER HEALTHCARE  
24 LLC; GE HEALTHCARE, INC.; GENERAL  
25 ELECTRIC COMPANY; BRACCO  
26 DIAGNOSTICS INC.; MCKESSON  
27 CORPORATION; MCKESSON MEDICAL-  
28 SURGICAL, INC.; and DOES 1 through 20,  
inclusive,

Defendants.

Case No. 4:19-cv-02932-HSG

**JOINT STIPULATION TO CONTINUE  
CASE MANAGEMENT CONFERENCE  
AND HEARING ON MOTION TO  
SEVER AND STIPULATED REQUEST  
FOR ORDER CHANGING TIME (CIV.  
L.R. 6-2, 7-12, AND 16-2(E)); ORDER (as  
modified)**

1 Pursuant to Civil Local Rules 6-2, 7-12, and 16-2(e), Specially Appearing Defendants Bayer  
2 HealthCare Pharmaceuticals Inc., Bayer HealthCare LLC, and Bayer Corporation (collectively the  
3 “Bayer Defendants”), Specially Appearing Defendants GE Healthcare Inc. and General Electric  
4 Company (collectively the “GEHC Defendants”), Defendants McKesson Corporation and  
5 McKesson Medical-Surgical, Inc. (collectively the “McKesson Defendants”), and Plaintiffs  
6 Tatsiana DeRosa, Tamara Tyler, Gilberto Lopez, and Bonnie Wheeler (collectively the  
7 “Plaintiffs”), (all collectively, the “Parties”), by and through their respective counsel, hereby  
8 stipulate to continue the Initial Case Management Conference and hearing on the GEHC  
9 Defendants’ motion to sever, which is currently set for October 31, 2019, to November 19, 2019,  
10 or to a date thereafter set at the discretion of the Court. In support of this Stipulation, the Parties  
11 state as follows:

12 1. On July 25, 2019, the Court issued a Notice resetting the Initial Case Management  
13 Conference and the hearing on the GEHC Defendants’ motion to sever in the above-captioned  
14 action for October 31, 2019 at 2:00 p.m. in Courtroom 2 before the Honorable Haywood S.  
15 Gilliam, Jr., and setting the deadline for filing the Case Management Statement as October 24,  
16 2019. *See* Dkt. No. 30.

17 2. Civil Local Rule 6-2(a) provides that “[t]he parties may file a stipulation,  
18 conforming to Civil L.R. 7-12, requesting an order changing time that would affect the date of an  
19 event or deadline already fixed by Court Order, or that would . . . extend time frames set in the  
20 Local Rules or in the Federal Rules.”

21 3. The Bayer Defendants’ lead counsel is unavailable on October 31, 2019 and  
22 substitute lead counsel is not available to provide coverage on or around that date. *See* Declaration  
23 of Jennifer L. Greenblatt ¶ 2(a), filed concurrently herewith.

24 4. The Parties through their counsel have agreed to a continuance of the Initial Case  
25 Management Conference currently set for October 31, 2019 to November 19, 2019, or to a date  
26 thereafter set at the discretion of the Court. *See id.* ¶ 2(b).

27 5. No prior time modifications have been sought in this case by the Parties. *Id.* ¶ 3. The  
28 Court set the Initial Case Management Conference for September 3, 2019, and *sua sponte* continued

1 the Initial Case Management Conference to October 31, 2019. *Id.*; see Dkt. Nos. 18 (6/12/19 Clerk's  
2 Notice Setting Case Management Conference) and 30 (7/25/19 Clerk's Notice Continuing Case  
3 Management Conference).

4 6. Continuing the date of the Case Management Conference and hearing on the GEHC  
5 Defendants' motion to sever will not have any significant effect on the schedule for this case. *Id.* ¶

6 4

7 **IT IS SO STIPULATED.**

8  
9 Dated: September 16, 2019

DRINKER BIDDLE & REATH LLP

10  
11 By: /s/ Rodney M. Hudson

Rodney M. Hudson

12 Counsel for Specially Appearing Defendants Bayer  
13 HealthCare Pharmaceuticals Inc., Bayer HealthCare  
14 LLC, and Bayer Corporation

15 Dated: September 16, 2019

WHEELER TRIGG O'DONNELL LLP

16  
17 By: /s/ Jeremy A. Moseley

Michael L. O'Donnell

18 Jeremy A. Moseley

19 Counsel for Specially Appearing Defendants GE  
20 Healthcare Inc. and General Electric Company

21 By: /s/ Emma E. Garrison

Emma E. Garrison

22 Counsel for Defendants McKesson Corporation  
23 and McKesson Medical Surgical Inc.

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Dated: September 16, 2019

MILSTEIN, JACKSON, FAIRCHILD & WADE, LLP

By: /s/ Levi M. Plesset  
Levi M. Plesset

Counsel for Plaintiffs Tatsiana DeRosa, Tamara  
Tyler, Gilberto Lopez, and Bonnie Wheeler

**Attestation:** *I, Rodney M. Hudson, hereby attest pursuant to Civil Local Rule 5-1(i)(3) that  
concurrence in the filing of this document has been obtained from the other signatories*

/s/ Rodney M. Hudson

ORDER

**PURSUANT TO STIPULATION, IT IS SO ORDERED except that the  
case management conference and the hearing on the motion will be held**

**Thursday, November 21, 2019 at 2:00 p.m.**

Dated: 9/17/2019

  
HONORABLE HAYWOOD S. GILLIAM, JR.